

DRAFT

Emergency Bill No. 24-00  
Concerning: Real Property - Disclosure -  
Special Protection Areas  
Revised: 7-13-00 Draft No. 2  
Introduced: August 1, 2000  
Expires: February 1, 2002  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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By: Councilmembers Praisner, Berlage, and Leggett

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**AN EMERGENCY ACT** to:

- (1) require certain disclosures to buyers of real property located in a special protection area;
- (2) require buyers of certain real property to indicate whether they received certain information about special protection areas and water quality review; and
- (3) generally amend the law governing disclosure of information in real estate transactions.

By adding

Montgomery County Code  
Chapter 40, Real Property  
Section 40-13

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

**Sec. 1. Chapter 40 is amended by adding Section 40-13:**

**40-13. [Reserved] Disclosure of Location in Special Protection Area.**

(a) If any real property is located in an area designated as a special protection area under Section 19-62, the seller must disclose that fact to each buyer before the buyer signs a contract for the sale of the property.

(b) A prospective buyer must indicate, by signing an addendum to the contract or a separate section of the contract printed in boldface type in a clearly demarcated box, that:

(1) the seller has provided the information required by subsection (a);  
and

(2) the buyer understands that special water quality measures are required as part of a proposed development plan, diagrammatic plan, schematic development plan, project plan, preliminary plan of subdivision, site plan, or special exception, as provided in Section 19-64.

**Sec. 2. Emergency Effective Date.**

The Council declares that an emergency exists and that this legislation is necessary for the immediate protection of the public health and safety. This act takes effect on the date on which it becomes law.

**Sec. 3. Effective Date.** Section 40-13, added by this act, takes effect on January 1, 2001, and applies to any contract for the sale of real property signed on or after that date.

*Approved:*

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Michael L. Subin, President, County Council

Date

25 *Approved:*

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Douglas M. Duncan, County Executive

Date

27 *This is a correct copy of Council action.*

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Mary A. Edgar, CMC, Clerk of the Council

Date